

AGENDA

FOR THE REGULAR MEETING OF THE CITY OF BELEN PLANNING AND ZONING COMMISSION, STATE OF NEW MEXICO, COUNTY OF VALENCIA TO BE HELD ON MONDAY THE 30th OF APRIL 2018 AT 6:00 PM IN THE COUNCIL CHAMBERS AT CITY HALL, 100 SOUTH MAIN STREET, BELEN, NEW MEXICO 87002.

ALL P & Z COMMISSION MEETINGS ARE VIDEO AND AUDIO RECORDED.

A COPY OF THE AGENDA MAY BE OBTAINED FROM THE OFFICE OF THE CITY OF BELEN PLANNING & ZONING DEPARTMENT.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGEANCE**
- 4. APPROVAL OF AGENDA**
- 5. APPROVAL OF MINUTES**
Minutes of April 9, 2018
- 6. PUBLIC COMMENT 3 MINUTE PRESENTATIONS:** If more time is needed for presentation, please ask to be scheduled on the next agenda.
- 7. DISCUSSION**
The City of Belen Comprehensive Plan and The Economic Development Strategies
- 8. INFORMATIONAL ITEMS**
 - a. Communication from the Commission and Staff
- 9. ADJOURNMENT**

RESPECTFULLY SUBMITTED

/s/

Lisa Miller, Planning & Zoning Administrator

cc: Mayor & City Council
News Bulletin

Belen Chamber of Commerce
Belen Recreation Center

Belen Public Library
Belen City Hall

JERAH R CORDOVA
MAYOR
LEONA VIGIL
CITY MANAGER



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WAYNE GALLEGOS
CITY COUNCIL
DAVID CARTER
CITY COUNCIL
RONNIE TORRES
CITY COUNCIL
FRANK ORTEGA
CITY COUNCIL

CITY OF BELEN
PLANNING & ZONING COMMISSION MEETING
MINUTES
MARCH 26, 2018

Vice Chair Pete Armstrong called the regular meeting of the Belen Planning and Zoning Commission meeting to order at 6:00 p.m.

PRESENT: Chairman Steve Ethridge
Vice Chair Pete Armstrong
Commissioner Jim Lardner
Commissioner Claudine Montano

ABSENT: Commissioner Gordon Reeves

CITY STAFF: Steven Tomita, Economic Development
Lisa R Miller, Planning & Zoning Administrator

OTHERS: Lee Chavez, Citizen
Tina Chavez, Citizen
Mable I Padilla, Citizen

APPROVAL OF THE AGENDA

Commissioner Claudine Montano moved to approve the agenda as is.

Vice Chairman Pete Armstrong seconded the motion.

Motion carried.

APPROVAL OF THE MINUTES

Vice Chair Pete Armstrong moved to approve the minutes of March 26, 2018 with corrections.

Commissioner Jim Lardner seconded the motion.

Motion carried.

PUBLIC COMMENT – 3 MINUTE PRESENTATIONS

Ms. Mable I Padilla informed the Commission about the situation of the land behind Adams Market. It has a lot of trash, rubbish and debris along with vagrants there. It also has drainage problems when it rains. It floods the homes that boarder it along Anthony Dr.

Steven Tomita said that there is a workshop on the April 12, 2018 concerning the location of the new Magistrate Court building. It starts at 3:00 P.M.

PUBLIC HEARING WITH POSSIBLE ACTION

a. Swearing in of Participants

Chairman Steve Ethridge swore in the applicant and all others who will testify in the public hearing.

b. REQUEST FOR A VARIANCE ON THE FRONT AND REAR SETBACK

RESTRICTIONS: Lee Chavez. Legal Description: Township 5 North, Range 2 East, Section 19, Tract 230B2B2A, containing .10 acres. Aka 710 Anthony Dr., Belen NM 87002.

Lisa Miller informed the Commission that Mr. Chavez had come in after the home that existed on the property, had burned down, for a demolition permit. He also asked about placing a manufactured home on the property. Mr. Chavez was informed that he would be allowed to place a single wide on that property due to the fact that it is zoned R-1A. It turned out that the lot was too narrow in width and length for an average single wide manufactured home. The surrounding area is also zoned R-1A except for the area to the south. That area is zoned A-R and single wide manufactured homes are also allowed in that zone. The setbacks for these zones are 20 feet front, 15 feet rear and 5 feet sides. The smallest manufactured home he could find would not allow for the required setbacks so he is asking for a variance on the front and rear setbacks so that he can place a manufacture home lengthwise on the property. The neighborhood consists of manufactured homes and stick built homes.

Commissioner Jim Lardner said that the home that was there, according to the photo, only had a six or seven foot setback in the front and the requested variance would put the home farther back and bring it closer to compliance with the regulations.

Chairman Steve Ethridge asked Lisa if the surrounding neighbors had been notified and did she have any responses to those notices.

Lisa Miller said that she notified the neighbors and has not received any response.

Chairman Steve Ethridge asked if she had received any comments from the police department or the fire department.

Lisa Miller said that she has not heard anything.

Mr. Lee Chavez informed the Commission that the home burned down in December and he had the home cleaned off the lot. He had worked with Lisa on the property adjacent to this and wanted to do the proper and legal thing to the property at 710 Anthony Dr. The home was setback approximately four feet from the property line and with the lot size

that it is, there is no way that any mobile home could fit in there. Initially he had a trailer in mind that was 14' X 56', but that trailer has since sold. He gave the Commission three different scenarios on different size trailers and the different setbacks that would be needed for each scenarios.

Chairman Steve Ethridge said that what was presented in the packet was for a 14' X 56' trailer and he did not know if different variations would be covered under that request.

Lee Chavez said that the initial trailer was 14' X 56' but it has since been sold. The manufactured homes industry standard is 80' and that is as long as the lot is. He has found a few sizes that are around the 14' X 56' but they are just a little bit bigger.

Lisa Miller said the lot size is 50' wide and 80' deep and it would not matter what size trailer he puts in there, it will not meet current setback regulations.

Lee Chavez said that the width of the trailer is not an issue, it is the length of it. He is sure he can find one that is around 56' to 60'.

Steven Tomita said that what the Commission needs to decide on is what is an acceptable setback and set that as the parameters. Then Mr. Chavez will have to abide by those setbacks and find a trailer to fit within those parameters.

Vice Chair Pete Armstrong said that the overhead of that area and a number of homes on that block do not meet today's current standards for setbacks, so it is not like we would be setting a new precedence for this area.

Commissioner Jim Lardner asked about the vacant lot behind his and if there was ever anything going to happen to it any time soon.

Steven Tomita said that you never know.

Ms. Padilla said that is the lot she was talking about earlier. There are a lot of vagrants, trash and junk on that lot.

Lee Chavez said that luckily we do not get too much rain here because any buildup of water overflows into the back yards of everyone on that side of Anthony Dr.

Chairman Steve Ethridge asked where the utility poles were.

Lee Chavez said that they are across the street. All the utilities will stay the same.

Vice Chair Pete Armstrong said that now that there are three proposals on the table, do they decide which one to go with.

Steven Tomita said that on his initial application, Mr. Chavez basically defined what he was asking for on the setbacks, but he is saying that he may not be able to find that specific dimension.

Lee Chavez said that he was hoping that the trailer he was looking at was still available but unfortunately it is not. The first one was sold but the owner of the lot informed him that he had others available and gave him the sizes that he had. These trailers are all two bedroom trailers.

Vice Chair Pete Armstrong said that what the Commission needs to address is anything up to and including a 14' X 60' trailer.

Commissioner Jim Lardner asked what kind of setbacks they are talking about.

Vice Chair Pete Armstrong said the 15' front, 5' sides and rear.

Lee Chavez said that the fire department will have plenty of access on the front of the trailer because it will be set back approximately 30' from the west side of the property line and the neighbor has a gate they can use to get access on the east side. Then there is the empty lot behind him that they could also use. There must be a close fire hydrant there, because the night of the fire there was plenty of water available.

Ms. Mable Padilla said that she is right next door to this lot and she has no problem with what the Commission has suggested.

Chairman Steve Ethridge closed the floor for public comments and asked the Commission if they had any comments or questions they would like to voice. There were none. He asked for a specific motion.

Vice Chair Pete Armstrong moved that they approve the variance request with the maximum size mobile home allowed is a 14' X 60' with a 15' front setback and 5' rear setback.

Steven Tomita said that is a very clear motion. There will be an agreement between the applicant and the City that establishes this variance and the conditions that were imposed. If the property is sold, in the future, that agreement stays with the land and the next landowner will have to abide by the variance and its conditions.

Commissioner Claudine Montano seconded the motion.

Motion carried.

Motion was as follows:

Commissioner Claudine Montano	Yes
Vice Chair Pete Armstrong	Yes
Commissioner Jim Lardner	Yes

DISCUSSION

Becker Ave Zoning & C-R Zoning-Final Review

Lisa Miller informed the Commission that they had gone over the Becker Ave Overlay Zone and made changes. Everything that is highlighted is what the Commission wanted to add and the red

strike through sections are what they decided to remove. The same goes for the C-R Zone and the Main St Overlay Zone.

The Commission discussed the Becker Ave Overlay Zone. They talked about the reason behind the change under building design and how it had to do with the fact that the Planning & Zoning Commission tried to create a Mural Ordinance, at the request from the Council, and after it was finished the Council just threw it out and said that we could not enforce anything. With the change made under Building Design #1 they are allowing graphics and murals to occur but they are going to have to come before the Planning & Zoning Commission for approval. One of the challenges they will face is whether it is a sign or graphics. They discussed adding under Building Design #4, the three words "from street level" or "from ground view" to the end of the sentence. They decided on "from ground view". They next discussed the Administrative Procedures concerning the preliminary sketch drawings. They felt that not only the proposed buildings should be on them but all other structures on site should be included. It was decided to add "and/or other structures" at the end of the sentence in #3. They did not change anything else on the C-R zone. They suggested that a check on the spelling of the word linear because it is misspelled twice.

Lisa Miller informed the Commission that she had looked up the meaning of Curtain Wall, because they wanted that meaning to be added to the Zoning Ordinance. She said it is an out covering of a building in which the outer walls are non-structural, utilized to keep the weather out and the occupants in. It is made of lightweight materials which reduces construction cost. Glass is used on some curtain walls. They are attached to a structural wall. A definition for Curtain Walls will be added to the definitions of the Zoning Ordinance.

Main Street Overlay Zone & C-1 Zone

Steven Tomita informed the Commission that staff added Pre-existing buildings shall comply with this Ordinance wherever reasonable to the Regulations A. of the Main Street Overlay Zone to cover the existing structures.

All agreed that it should be added.

INFORMATIONAL ITEMS

a. Communication from the Commission and staff

Lisa Miller informed the Commission about the NMLZO Annual Meeting and passed out the information and registration forms. It was decided that this would be a good one for the Commission to attend due to the fact it has a lot to do with zoning ordinances and changing these ordinances. Circle K, Yucca Veterinary, and Westway homes are moving along.

Steven Tomita informed the Commission that the City Council approved a variance on the alcohol setback for Circle K because a Church had moved into Henry's Shopping Center and the parking area is within the 300 feet of the new Circle K location. The church had no problems with this. It raised an interesting situation and we are going to have to check with the state alcohol board in as much as the language states that a business selling alcohol cannot move within 300 feet of a church or school but, does that also include that a church or school cannot move within the 300 feet of a business that sells alcohol. This needs some clarification.

Commissioner Jim Lardner said that the Love's landscaping is going to be beautiful. He commented that they had done a good job on the new intersection at Christopher Rd and Camino Del Llano.

Steven Tomita said that the Airport Manager is getting with MRCOG to set up a meeting with the City and the County on forming the Airport Commission.

ADJOURNMENT

There being no further business to come before the City of Belen Planning & Zoning Commission, Commissioner Claudine Montano moved to adjourn.

Vice Chair Pete Armstrong seconded the motion.

Motion carried.

The regular meeting of the City of Belen Planning & Zoning Commission adjourned at 6:53 p.m.

Chairman Steve Ethridge

ATTEST: _____
Steven Tomita, Planning & Economic Development Director